

REMARKS / ARGUMENTS

This Amendment and Response is submitted in response to the final Office Action mailed June 23, 2005. Withdrawal of the rejection and reconsideration with an eye toward allowance is respectfully requested.

Applicant acknowledges that Claim 50 is allowed and that Claims 29, 31-33, 35, and 42-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended Claims 29, 31, 35, 42, and 47 to incorporate the limitations in the underlying base claim (Claim 16) and any intervening claims so that these independent claims are now in condition for allowance. Objected to claims 32-33 and 43-46 are now dependent on the allowable independent claims and therefore allowable on at least that basis without further amendment. Applicant has also amended certain of the claims to correct the objections to claim 23 and 41 and also to correct other typographical errors identified in some of the claims. Allowed claim 50 has been amended only to correct a typographical error so that the phrase "the a change" is amended to be "the change". This amendment is not related to patentability.

Claims 10, 16-18, 21-28, 30, 34, 36-41, and 49 were rejected as being anticipated under 35 USC 102(e) s being anticipated by Wolff et al (U.S. Patent Application 2002/0174137 filed on 15 May 2001 and published on 21 November 2002).

For business and economic reasons associated with product marketing and obtaining venture capital funding and without admitting the propriety of the prior-art rejection, Applicant has cancelled Claim 16 without prejudice to pursue it alone or in combination with other dependent claims that have been amended herein, and have amended the remaining dependent claims to depend either directly or through an intervening claim to an allowable claim.

In light of these amendments, Applicant respectfully submits that all of the pending claims as now amended are in condition for allowance and requests such allowance.

Additional Comments


With these amendments and remarks, Applicant submits that all pending claims are in condition for allowance and requests allowance of same.

Based on the foregoing, Applicant respectfully submits that the application is now in condition for allowance. If any matters can be resolved by telephone, the Examiner is invited to call the undersigned attorney at the telephone number listed below. The Commissioner is authorized to charge any additional fees, including but not limited to fees for additional claims not already paid for, for claims converted from dependent claims to independent claims, or for extensions of time petitions, to Deposit Account No. 50-2319 (Order No. A-70543-1/RMA (469217-12)).

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Respectfully submitted,
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